



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, SEPTEMBER 24, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: September 10, 2002

OLD BUSINESS:

1. **USE PERMIT, UP-01-01: CONDIT-PATEL:** A request for approval of a conditional use permit to allow for the construction of a 6,500 square foot building, arcade, restaurant and miniature golf course on 1.6 acres. The location is the W. side of Condit Rd., approximately 800 ft. S. of the E. Dunne Ave./Condit Rd. intersection. The zoning for the site is Planned Unit Development (PUD). (APN 817-12-004)

Recommendation: Adopt Mitigative Negative Declaration, and Approve Resolution No. 02-66.

NEW BUSINESS:

2. **GENERAL PLAN AMENDMENT, GPA-02-02/ZONING AMENDMENT, ZA-02-06: WATSONVILLE-CITY OF MORGAN HILL REDEVELOPMENT AGENCY:** A request to change the General Plan Land Use designation from Public Facilities to Multi-Family Low, and change the zoning designation from Public Facilities to R2/3,500 to maintain consistency with the proposed General Plan Land Use designation for the property. The property is a 1.5 acre site located on the north side of Watsonville Rd., approximately 800 ft. west of the Monterey Rd./Watsonville Rd. intersection. (APN 767-23-017)

Recommendation: Open Public Hearing, Adopt Mitigated Negative Declaration, and Approve Resolution Nos. 02-71 (general plan amendment) and 02-72 (zoning amendment), with recommendation to forward requests to the City Council for approval.

3. **ZONING AMENDMENT, ZA-02-13: CITY OF MORGAN HILL-ESTABLISHMENT OF CHAPTER REGARDING DEVELOPMENT AGREEMENTS:** Amendment to Title 18 of the Morgan Hill Municipal Code, the Zoning Ordinance, creating Chapter 18.80 and establishing provisions for Development Agreements.

Recommendation: Open public hearing, Adopt Negative Declaration, and Approve Resolution No. 02-73, with recommendation to forward request to the City Council for approval.

OTHER BUSINESS:

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4. **ZONING AMENDMENT, ZA-02-05: TENNANT-TENNANT AVENUE PUD:** Discuss and give direction regarding the potential phasing of development within the PUD zoning district located within the southwest quadrant of the Tennant Ave./Highway 101 interchange.

Recommendation: Discussion.

TENTATIVE UPCOMING AGENDA ITEM FOR THE OCTOBER 8, 2002 MEETING:

- **SD-02-06: Central-Central Park**
- **DA-02-05: Central-Central Park**
- **ZA-02-09: Llagas-Delco/Dividend**
- **SD-02-07: Llagas-Delco/Dividend**
- **DA-02-06: Llagas-Delco/Dividend**
- **General Plan Implementation Report**
- **Multi-Family Vacancy Rate Report**

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

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NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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